

ASSEMBLY BILL

No. 356

Introduced by Assembly Member Fletcher

February 19, 2009

An act to amend Section 114850 of the Health and Safety Code, relating to radiologic technology.

LEGISLATIVE COUNSEL'S DIGEST

AB 356, as introduced, Fletcher. Radiologic technology: licentiates of the healing arts.

Existing law sets forth the duties of various agencies relating to the protection of the public health and safety from the harmful effects of radiation, including, among others, the duties of the State Department of Public Health regarding the licensing and regulation of radiologic technology.

Existing law requires the department to provide for the certification of licentiates of the healing arts to supervise the operation of X-ray machines or to operate X-ray machines, or both, to prescribe minimum standards of training and experience for these licentiates of the healing arts, and to prescribe procedures for examining applicants for certification. Under existing law, licentiates of the healing arts is defined to include any person licensed under the Medical Practice Act, the Osteopathic Act, or a specified initiative act that created the State Board of Chiropractic Examiners, as provided.

Existing law, the Physician Assistant Practice Act, separately establishes the Physician Assistant Committee of the Medical Board of California, and provides for the licensure of physician assistants meeting specified criteria and for the regulation of their practice. Under that act, a physician assistant is authorized to perform certain medical services

under the supervision of a physician and surgeon, subject to certain exceptions.

This bill would revise the definition of licentiates of the healing arts to also include a physician assistant who is licensed pursuant to the Physician Assistant Practice Act and who practices under the supervision of a qualified physician and surgeon, as provided. The bill would also require the supervising physician and surgeon to have, or be exempt from having, a certificate or permit to perform the functions that he or she is supervising, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 114850 of the Health and Safety Code
- 2 is amended to read:
- 3 114850. As used in this chapter:
- 4 (a) “Department” means the State Department of *Public Health*
- 5 *Services*.
- 6 (b) “Committee” means the Radiologic Technology
- 7 Certification Committee.
- 8 (c) “Radiologic technology” means the application of X-rays
- 9 on human beings for diagnostic or therapeutic purposes.
- 10 (d) “Radiologic technologist” means any person, other than a
- 11 licentiate of the healing arts, making application of X-rays to
- 12 human beings for diagnostic or therapeutic purposes pursuant to
- 13 subdivision (b) of Section 114870.
- 14 (e) “Limited permit” means a permit issued pursuant to
- 15 subdivision (c) of Section 114870 to persons to conduct radiologic
- 16 technology limited to the performance of certain procedures or the
- 17 application of X-ray to specific areas of the human body, except
- 18 for a mammogram.
- 19 (f) “Approved school for radiologic technologists” means a
- 20 school that the department has determined provides a course of
- 21 instruction in radiologic technology that is adequate to meet the
- 22 purposes of this chapter.
- 23 (g) “Supervision” means responsibility for, and control of,
- 24 quality, radiation safety, and technical aspects of all X-ray
- 25 examinations and procedures.

1 (h) (1) “Licentiate of the healing arts” means a person licensed
2 under the provisions of the Medical Practice Act, ~~and a person~~
3 ~~licensed under the provisions of the initiative act entitled “An act~~
4 ~~prescribing the terms upon which licenses may be issued to~~
5 ~~practitioners of chiropractic, creating the State Board of~~
6 ~~Chiropractic Examiners and declaring its powers and duties,~~
7 ~~prescribing penalties for violation thereof, and repealing all acts~~
8 ~~and parts of acts inconsistent herewith,” approved by electors~~
9 ~~November 7, 1922, as amended, or under the “Osteopathic Act.”~~
10 *Act,” or a person licensed under the Physician Assistant Practice*
11 *Act (Chapter 7.7 (commencing with Section 3500) of Division 2*
12 *of the Business and Professions Code) who practices under the*
13 *supervision of a qualified physician and surgeon pursuant to the*
14 *act and pursuant to Division 13.8 of Title 16 of the California*
15 *Code of Regulations.*

16 (2) *In order to supervise a physician assistant in performing*
17 *the functions authorized by this chapter, a physician and surgeon*
18 *shall either hold, or be exempt from holding, a certificate or permit*
19 *required to perform the functions being supervised.*

20 (3) *Notwithstanding Section 30468 of Title 17 of the California*
21 *Code of Regulations, the department shall accept applications for*
22 *a licentiate certificate or permit from a physician assistant who*
23 *attests that he or she will use the certificate or permit in compliance*
24 *with the requirement of this part.*

25 (i) “Certified supervisor or operator” means a licentiate of the
26 healing arts who has been certified under subdivision (e) of Section
27 114870 or 107115 to supervise the operation of X-ray machines
28 or to operate X-ray machines, or both.

29 (j) “Student of radiologic technology” means a person who has
30 started and is in good standing in a course of instruction that, if
31 completed, would permit the person to be certified a radiologic
32 technologist or granted a limited permit upon satisfactory
33 completion of any examination required by the department.
34 “Student of radiologic technology” does not include any person
35 who is a student in a school of medicine, chiropractic, podiatry,
36 dentistry, dental radiography, or dental hygiene.

37 (k) “Mammogram” means an X-ray image of the human breast.

- 1 (1) “Mammography” means the procedure for creating a
- 2 mammogram.

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